

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES DAVID NICHOLS,
Defendant,

and

FIBRIX, LLC,
Garnishee.

THIS MATTER is before the Court on the Government’s Motion for Order of Continuing Garnishment (Doc. No. 87) upon the Answer of Fibrix, LLC, as the Garnishee (Doc. No. 86). An Amended Judgment in the criminal case was entered on August 15, 2006. (Doc. No. 70). As part of that Judgment, Defendant, James David Nichols, was ordered to pay an assessment of \$100.00 and restitution of \$4,417.00 to the victim of his crime. *Id.*

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IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$1,441.04 computed through March 20, 2024. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full or until Garnishee no longer has custody, possession, or control of any property belonging to Defendant or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

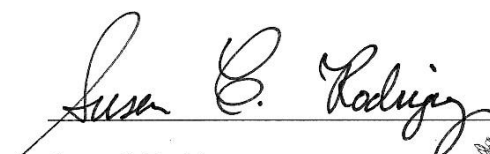
To ensure that each payment is credited properly, the following should be included on each check:
Defendant's Name James David Nichols and Case Number DNCW3:03CR54.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

Signed: May 22, 2024

SO ORDERED.


Susan C. Rodriguez
United States Magistrate Judge 